

FILED

AUG 17 2005

[Signature]
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

CHAD A. NOVAK,

Plaintiff,

-vs-

SIOUX VALLEY HEALTH PLAN,

Defendant.

CIV. 04-4056

JUDGMENT

The Court having issued its Findings of Fact and Conclusions of Law dated August 17, 2005, it is ORDERED, ADJUDGED and DECREED that plaintiff's complaint is DISMISSED, with prejudice and on the merits, with Plaintiff taking nothing thereunder, and further that JUDGMENT is entered in favor of the defendant.

Dated this 17th day of August, 2005.

BY THE COURT:

[Signature: John E. Simko]

John E. Simko
U. S. Magistrate Judge

ATTEST:

JOSEPH HAAS, Clerk

By *[Signature: Sharon Laws]*, Deputy